THE HON'BLE MR JUSTICE K.C. BHANU

On Wednesday, the fourteenth day of September

Two thousand and five..

W.P. NO.18114 of 2005

K.V. Appala Raju and others.

…….Petitioners.

And

The Deputy Commissioner, Endowments

Department, Kakinada, East Godavari District.

……Respondents.

O R D E R:

This writ petition is filed seeking declaration that the action of the 2nd respondent in seeking to evict the petitioners from their land to an extent of Ac.0.72 cents, northern part of total extent of Ac.1.60 cents covered by Zerayathi patta No.1526 in Sy.No.14/1A, 14/2A and 14/1C of Jaggarajupeta village, is illegal.

It is stated in the affidavit that Ac.1.60 cents of land was belonged to one Kalluri

Sita Kameshwari and the said land was her ancestral property, inherited by her from her ancestors and she had been in possession of the said land. Thereafter, the petitioners purchased the said land for valid consideration, under registered sale deed dated 1.4.2004, and now they are in possession of the said land.

According to the respondents, the land belongs to the Endowments; therefore, the appropriate decision has to be taken by the Deputy Commissioner of Endowments under Section 87 of the A.P.Charitable and Hindu Religious Institutions and Endowemnts Act, 1987 (for short 'the Act').

Therefore, without entering into the merits of the case, the writ petition is disposed of directing the writ petitioners to file an application before the Deputy Commissioner of Endowments under Section 87 of the Act to seek redressal.

Justice K.C.BHANU.

21st September 2005.

BCS